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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

WHITEWATER DRAW NATURAL
RESOURCE CONSERVATION
DISTRICT, *et al.*,

Plaintiffs,

v.

KEVIN K. MCALEENAN,¹ *et al.*

Federal Defendants.

Case No. 3:16-cv-2583

**CROSS-MOTION FOR SUMMARY
JUDGMENT**

Date: Filed Pursuant to Briefing Schedule,
ECF No. 68.

No oral argument unless requested by the
Court

Hon. M. James Lorenz

¹ Under Fed. R. Civ. P. 25(d), Acting Secretary Kevin K. McAleenan is substituted for former Secretary Kirstjen M. Nielsen.

1 Pursuant to Rule 56 of the Federal Rules of Civil Procedure and the Briefing
2 Schedule entered by the Court (ECF No. 68), Federal Defendants respectfully move this
3 Court to enter summary judgment in their behalf on Counts III, IV and V of Plaintiffs'
4 Amended Complaint and to deny Plaintiffs' motion for summary judgment (ECF No. 70).
5 This motion is based on the accompanying memorandum of points of law and authority
6 and on the administrative records of the challenged agency decisions.

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8 May 24, 2019

Respectfully Submitted,

9 LAWRENCE VANDYKE
10 Deputy Assistant Attorney General

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